

EXHIBIT BB

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CHARLENE CARTER)
) CIVIL ACTION NO.
VS.) 3:17-CV-02278-X
)
SOUTHWEST AIRLINES CO., AND)
TRANSPORT WORKERS UNION OF)
AMERICA, LOCAL 556)

CONFIDENTIAL
VIDEOTAPED DEPOSITION OF
MAUREEN EMLET
NOVEMBER 5, 2020

ANSWERS AND DEPOSITION OF MAUREEN EMLET,
produced as a witness at the instance of the
Plaintiff, taken in the above-styled and -numbered
cause on NOVEMBER 5, 2020, at 9:03 a.m., before
CHARIS M. HENDRICK, a Certified Shorthand Reporter
in and for the State of Texas, witness located in
Aurora, Colorado, pursuant to the Federal Rules of
Civil Procedure, the current emergency order
regarding the COVID-19 State of Disaster, and the
provisions stated on the record or attached hereto.

Page 2

1 A P P E A R A N C E S

2 FOR THE PLAINTIFF:

3 MR. MATTHEW B. GILLIAM
4 NATIONAL RIGHT TO WORK LEGAL DEFENSE
5 FOUNDATION, INC.
6 8001 Braddock Road, Suite 600
7 Springfield, Virginia 22160
8 (703) 770-3339
9 mbg@nrtw.org

10 FOR THE DEFENDANT, SOUTHWEST AIRLINES CO.:

11 MR. MICHAEL A. CORRELL
12 REED SMITH LLP
13 2850 North Harwood, Suite 1500
14 Dallas, Texas 75201
15 (469) 680-4264
16 mcorrell@reedsmith.com

17 FOR THE DEFENDANT, TRANSPORT WORKERS UNION OF
18 AMERICA, LOCAL 556:

19 MR. ADAM GREENFIELD
20 LAW OFFICES OF CLOUTMAN & GREENFIELD, PLLC
21 3301 Elm Street
22 Dallas, Texas 75226
23 (214) 939-9223
24 agreenfield@candglegal.com

25 ALSO PRESENT: MR. MACK SPURLOCK -
VIDEOGRAPHER

MS. CHARLENE CARTER
MS. LAUREN ARMSTRONG

1	INDEX	
2	Appearances	2
3	MAUREEN EMLET	
4	Examination by Mr. Gilliam.....	6
5	Examination by Mr. Correll.....	127
6		
7	Signature and Changes.....	130
8	Reporter's Certificate.....	132
9		

10	EXHIBITS	
11	Exhibit 2 -	48
12	Termination Letter, Document 7	
13	Exhibit 3 -	60
14	Email to Suzanne Stephensen from Audrey Stone, Document 1	
15	Exhibit 4 -	52
16	Email to Suzanne Stephensen from Dave Kissman, Document 2	
17	Exhibit 6 -	67
18	Email to Maureen Emlet from Ed Schneider, Document 9	
19	Exhibit 7 -	75
20	Email to Maureen Emlet from Ed Schneider, Document 6	
21	Exhibit 16 -	80
22	Email to Tammy Shaffer from Maureen Emlet, Document 8	
23	Exhibit 17 -	86
24	Email to Maureen Emlet from Bryan Smith, Document 10	
25		

Page 4

1	EXHIBITS	
2	Exhibit 18 -	101
3	Email to Inflight Labor Relations Mailbox from	
4	Maureen Emlet, Document 26	
5	Exhibit 19 -	109
6	Email to Brianna Grant from Maureen Emlet,	
7	Document 23	
8	Exhibit 20 -	114
9	Email to Tammy Shaffer from Maureen Emlet,	
10	Document 24	
11	Exhibit 21 -	118
12	Email to Employee Relations-DG from Maureen Emlet,	
13	Document 25	
14	Exhibit 22 -	121
15	Email to Maureen Emlet from Maureen Emlet,	
16	Document 27	

1 PROCEEDINGS

2 THE VIDEOGRAPHER: We are now on
3 record. Today's date is November 5th, 2020. The
4 time is 9:04 Central. Will the court reporter
5 please swear in the witness?

6 THE REPORTER: This is the video oral
7 deposition of Maureen Emlet, and it is being
8 conducted remotely in accordance with the current
9 emergency order regarding the COVID-19 State of
10 Disaster. The witness is located in Aurora,
11 Colorado. And counsel has agreed that I can swear
12 in the witness.

13 My name is Charis Hendrick, Court
14 Reporter, CSR No. 3469. I am administering the
15 oath and reporting the deposition remotely by
16 stenographic means from my home in Ellis County,
17 Texas.

18 Would counsel please state their
19 appearances and locations for the record? And the
20 city is fine.

21 MR. GILLIAM: Matthew B. Gilliam for
22 plaintiff Charlene Carter in Springfield, Virginia.

23 MR. CORRELL: Michael Correll for
24 defendant Southwest Airlines in Dallas, Texas.

25 MR. GREENFIELD: Adam Greenfield for

Page 6

1 the defendant TWU Local 556 in Dallas, Texas.

2 MAUREEN EMLET,

3 having been first duly sworn, testified as follows:

4 EXAMINATION

5 BY MR. GILLIAM:

6 Q. Good morning, Ms. Emlet.

7 A. Good morning.

8 Q. My name is -- my name is Matt Gilliam and
9 I represent plaintiff Charlene Carter in the case
10 Carter v. Southwest Airlines Company and Transport
11 Workers Union of America Local 556. And I am here
12 today to ask you questions about the case. If at
13 any point you would like a break, just let me know
14 and we'll -- we'll take a break. And do you
15 understand why you are here today?

16 A. Yes.

17 Q. Okay. And do you understand you are here
18 under subpoena?

19 A. Yes.

20 Q. Okay. And did you receive the subpoena to
21 testify?

22 A. Yes.

23 Q. Okay. And have you had the chance to
24 review the subpoena?

25 A. Yes.

Page 10

1 retire?

2 A. December 31st of 2019.

3 Q. All right. And prior to your retirement,
4 what was the last position you held with Southwest?

5 A. Manager of labor relations for inflight
6 services.

7 Q. Okay. And how long did you hold that
8 position?

9 A. I think it was about seven and a half
10 years.

11 Q. Okay. And what -- what position did you
12 hold prior to being manager of labor relations?

13 A. Prior to that, I was manager of inflight
14 communications. Prior to that, I was an inflight
15 base manager. And prior to that, a recurrent
16 training supervisor. And I started my Southwest
17 career as a flight attendant.

18 Q. Okay. How long did you work as a flight
19 attendant?

20 A. 10 months.

21 Q. All right. During that 10-month time
22 frame, were you a member of the union?

23 A. Yes.

24 Q. Okay. Were you a member of TWU Local 556?

25 A. Yes.

1 the moment.

2 MR. GILLIAM: Okay.

3 A. I can hear you now.

4 Q. (By Mr. Gilliam) Okay. And for that
5 group of people you had just described, have you
6 ever heard the term "nonmember" used to refer to
7 them?

8 A. Yes.

9 Q. Okay. All right. Now, in your position
10 as manager of labor relations, what -- what were
11 your responsibilities?

12 A. My main responsibilities were to work with
13 the base leadership and the union lead --
14 leadership to ensure that the contract was being
15 correctly applied. I was involved with cases that
16 had the potential to result in discipline; to
17 ensure that company policies and the inflight work
18 and conduct rules were being followed and applied
19 consistently.

20 Q. Okay. And when you say that -- well, did
21 you say that one of your responsibilities was
22 making sure the contract was applied properly?

23 A. Yes.

24 Q. Okay. And by contract, are you referring
25 to the collective bargaining agreement between the

Page 24

1 team handle that issue?

2 MR. CORRELL: Objection. Vague.

3 A. The ACT team and labor relations would
4 work together. Ultimately, it would be the labor
5 relations' responsibility to investigate. I just
6 don't remember ever having any religious
7 discrimination complaints brought forward.

8 Q. (By Mr. Gilliam) Okay.

9 A. Other than Ms. Carter.

10 Q. Okay. Do you understand if -- or I am
11 sorry. Do you know if employee relations handles
12 religious discrimination issues?

13 A. Oh, yes. Employee relations would handle
14 those complaints.

15 Q. Okay. And did -- just to make sure that I
16 understand correctly. Did you ever work with
17 employee relations on those types of complaints?

18 A. I may have, but, again, I don't remember
19 having any religious discrimination complaints
20 brought forward that I worked on or that I worked
21 with employee relations on. There -- there may
22 have been one, but without going back and reviewing
23 files, I just don't remember.

24 Q. Okay. And, I guess, in your -- your time
25 as manager for labor relations, do you recall,

Page 62

1 and those were provided as a nexus to the
2 workplace.

3 Q. Okay. All right. And, I guess, turning
4 back to the Page 4228 in that first screenshot.

5 A. Are we going back to the last document?

6 Q. Yes, ma'am. Document 1. So --

7 A. We're still in Document 1?

8 Q. Yes, ma'am. Yeah.

9 A. Okay.

10 Q. And 4228. It should be the first
11 screenshot.

12 A. Okay.

13 Q. And the -- the message -- part of the
14 message says, you truly are despicable in so many
15 ways. By the way, the recall is going to happen.

16 What is the recall?

17 A. If I remember correctly, there was a
18 faction of 556 members who wanted to remove Audrey
19 Stone from office.

20 Q. Okay. And how did you learn about the
21 recall?

22 A. Well, it was common knowledge because
23 flight attendants were very vocal about it. So I
24 don't know how I learned about it; probably from
25 other Facebook posts.

1 Q. Okay. All right. Do you know when the, I
2 guess, issues with the recall started to -- well, I
3 guess, crop up?

4 A. I don't know. It was prior to this time.
5 I don't know how long they had been going on.

6 Q. Okay. Were there issues with the recall
7 when you retired?

8 A. No.

9 Q. Okay. Do you know when those -- the
10 issues about the -- the recall, I guess, subsided?

11 A. I think when the new union president was
12 voted into office.

13 Q. Okay. Do you know when that was?

14 A. I think it was January -- well, actually,
15 I don't know. I think it was the beginning of
16 2019, but I don't -- I don't remember for sure.

17 Q. Okay.

18 A. Might have been October of '18.

19 Q. Okay. All right. And, I guess, turning
20 back to Document 2. Well, I'll probably ask you a
21 question before we get there. Do you know if Ed
22 Schneider eventually contacted you about the
23 investigation?

24 A. Yes.

25 Q. Okay. And what -- when -- when he

Page 80

1 THE REPORTER: Last where I left off
2 on Monday was Exhibit 13, but --

3 MR. GILLIAM: Was --

4 THE REPORTER: -- I don't know if you
5 marked anything in Mr. Schneider.

6 MR. GILLIAM: I -- I think I do have
7 it. I think the next one would be 16.

8 THE REPORTER: Okay.

9 (Exhibit 16 marked.)

10 Q. (By Mr. Gilliam) Ms. Emlet, this will be
11 Document 8 for you, if you could review it.

12 A. Okay.

13 Q. And once you've had a chance to review all
14 of it, let me know.

15 A. Okay.

16 Q. Do you recognize this?

17 A. Yes.

18 Q. And what is it?

19 A. This is an email that I sent to Tammy
20 Shaffer and Brianna. And it -- it looks like I
21 have forwarded an email from Denise Gutierrez, and
22 it has different posts from Facebook.

23 Q. Okay. And it's -- is it also attaching
24 images?

25 A. Yes.

1 Q. Okay. Do you know if the images that
2 follow on Pages 6505 through 6513 were the
3 attachments to your email?

4 A. I think that they were. But looking at
5 this document now, it looks to me like Denise sent
6 them to me and then I forwarded them.

7 Q. Okay. All right. But you recognize the
8 pictures as well?

9 A. Yes.

10 Q. Okay. And one quick question. On the CC
11 line, you have inflight labor relations mailbox.

12 A. Yes.

13 Q. Who receives email there?

14 A. Michelle Lusk and Sue Ann Chaffin.

15 Q. Okay. Does anyone else receive email from
16 that box?

17 A. Do you mean is anyone on that mailbox?

18 Q. Yeah -- yeah. Let me ask the --

19 A. Not --

20 Q. -- question another -- another way. Does
21 -- can anyone else access email from that mailbox?

22 A. Yes. The -- when I was there, the labor
23 relations team could view emails in that mailbox,
24 but not send anything from it. So this was our
25 repository for the specialists to collect

1 involved in all of it.

2 Q. Okay. So it was normal that you would
3 send her all of the information of an -- an
4 investigation?

5 A. Yes.

6 Q. Okay. And, now, who made the
7 determination that there was a nexus between
8 Ms. Carter's posts and Southwest?

9 A. I don't know if any one person made that
10 determination. Typically, in these high-profile
11 cases, our entire labor relations team would
12 discuss the case. And then I -- I know that I had
13 some conversation about the nexus to the workplace
14 and her presenting herself in uniform on -- on her
15 Facebook page.

16 Q. Okay. Do you know what the dates of those
17 pictures were?

18 A. No.

19 Q. Okay. And I do have a question too about
20 6505.

21 A. Okay.

22 Q. And what is the nexus to Southwest on that
23 page?

24 A. Ms. Carter is standing. She's the second
25 one from the right and she has her Southwest

Page 84

1 Airlines ID around her neck.

2 Q. Okay. And I -- I realize that this is
3 another copy, but can -- can you -- could you read
4 the -- the version of -- or read that ID in the --

5 A. I cannot. Not to my -- my iPad, I can't,
6 no.

7 Q. Okay. Do you recall if, on the original
8 version you saw, you could -- you could read what
9 was on the ID?

10 A. I don't know. I -- I know that -- I don't
11 know if I could read it. I know that the coloring
12 and the layout were definitely recognizable as a
13 Southwest ID.

14 Q. Okay. Now, did you have any follow-up
15 discussions with Tammy Shaffer or Brianna Grant
16 about any of these pictures?

17 A. I am sure I did.

18 Q. Okay. Do you know if you talked to them
19 about whether there was a nexus between Southwest
20 and the posts?

21 A. I probably did, yes.

22 Q. Okay. And did they give you any
23 conclusions about the posts themselves?

24 A. I don't remember. I think it would only
25 be that, yes, there was a nexus to the workplace.

1 I, MAUREEN EMLET, have read the foregoing
2 deposition and hereby affix my signature that same
3 is true and correct, except as noted above.

4
5 _____
6 MAUREEN EMLET

7 THE STATE OF _____
8 COUNTY OF _____

9 Before me, _____, on this day
10 personally appeared MAUREEN EMLET, known to me (or
11 proved to me under oath or through _____) to
12 be the person whose name is subscribed to the
13 foregoing instrument and acknowledged to me that
14 they executed the same for the purposes and
15 consideration therein expressed.

16
17 Given under my hand and seal of office this _____
18 day of _____, 2020.

19
20 _____
21 NOTARY PUBLIC IN AND FOR THE
22 STATE OF _____

23
24 MY COMMISSION EXPIRES: _____
25

Page 132

REPORTER'S CERTIFICATION

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CHARLENE CARTER)
)
) CIVIL ACTION NO.
VS.) 3:17-CV-02278-X
)
SOUTHWEST AIRLINES CO., AND)
TRANSPORT WORKERS UNION OF)
AMERICA, LOCAL 556)

CONFIDENTIAL

DEPOSITION OF MAUREEN EMLET
NOVEMBER 5, 2020
(REPORTED REMOTELY)

I, CHARIS M. HENDRICK, Certified Shorthand
Reporter in and for the State of Texas, do hereby
certify to the following:

That the witness, MAUREEN EMLET, was by me
duly sworn and that the transcript of the oral
deposition is a true record of the testimony given
by the witness.

I further certify that pursuant to Federal
Rules of Civil Procedure, Rule 30(e)(1)(A) and (B)
as well as Rule 30(e)(2), that review of the
transcript and signature of the deponent:

__xx__ was requested by the deponent and/or a
party before completion of the deposition.

1 _____ was not requested by the deponent and/or
2 a party before the completion of the deposition.

3 I further certify that I am neither
4 attorney nor counsel for, nor related to or
5 employed by any of the parties to the action in
6 which this deposition is taken and further that I
7 am not a relative or employee of any attorney of
8 record in this cause, nor am I financially or
9 otherwise interested in the outcome of the action.

10 The amount of time used by each party at
11 the deposition is as follows:

12 Mr. Gilliam - 3:42 hours/minutes

13 Mr. Correll - 2 minutes

14
15 Subscribed and sworn to on this 12th day
16 of November, 2020.

17

18

19

20

21

22

23

24

25

Charis M Hendrick

CHARIS M. HENDRICK, CSR # 3469
Certification Expires: 10-31-21
Bradford Court Reporting, LLC
7015 Mumford Street
Dallas, Texas 75252
Telephone 972-931-2799
Facsimile 972-931-1199
Firm Registration No. 38

